

The complaint

Mr B complains The Co-operative Bank Plc couldn't find an old account and gave poor service when responding to a data subject access request (dSAR).

What happened

Mr B was involved in a court case, and he needed to provide the court with proof of his finances. Mr B held an old account with Britannia, and these accounts have all migrated to Co-op, so Mr B called Co-op.

The person Mr B spoke to couldn't find his account, and sent an email to an internal department dealing with old or dormant accounts. Mr B asked for a copy of this internal email to prove to the court he'd made enquiries about the old account.

The call handler put Mr B on hold to speak to a manager, and eventually put Mr B through to the manager, to ask for the email. The manager said they couldn't copy Mr B into the email, but Mr B explained this was his data and he was entitled to it.

Mr B asked to raise a dSAR and the manager said Mr B wouldn't be sent a copy of the email as this was internal and read out a list of things the dSAR would cover.

Mr B explained he should be considered a vulnerable consumer, and it didn't matter if he wasn't copied in, a hard copy would do, but he still wasn't sent a copy of the email.

Mr B raised a dSAR and received a copy of the internal email.

Unhappy with the call, and the fact he still didn't have details of the old account, Mr B complained to Co-op. Co-op responded to say it had listened to the call and couldn't agree it was inappropriate.

Co-op said Mr B didn't have an open account, so it had likely closed before Britannia's transfer to Co-op. Co-op attached a form about dormant reclaims but didn't think it had made an error, so it didn't uphold Mr B's complaint.

Mr B brought his complaint to this service, and Co-op made an offer of £150. Co-op said in 2022 it had made a decision to close all low balance Britannia accounts, any with less than £25 in the account.

If a consumer held a balance of over £5, but under £25, they were written to. Co-op said Mr B had less than £5 in his account, so he wasn't sent a letter.

Co-op said it should have written to Mr B about the internal email, confirming it was looking for his account. Co-op also said the reclaim form was confusing as it only mentions dormant accounts, not ones closed for a low balance, but confirmed it was the same form for both.

Mr B declined the £150 offer as he felt things were still outstanding from his original complaint, and he still didn't have statements.

An investigator looked into things and thought the £150 offer was fair. The investigator explained the low balance closure and Mr B had been told how to reclaim.

The investigator thought Co-op followed the right process for the internal email but could have done more to support Mr B.

Mr B disagreed and said the assessment didn't mention the refused dSAR or his vulnerability and how Co-op breached its own policy and the financial conduct authority's (FCA's) treating consumer fairly policy.

Mr B felt these weren't minor issues, and he still didn't have a statement. Mr B asked for an ombudsman to decide things.

What I've decided – and why

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint.

I've listened to the call Mr B had with Co-op, and I think it could have gone better. Mr B was clearly very worried about the upcoming court case and explained the potential ramifications of failing to provide a balance, or proof he'd asked for details about the old account.

Mr B also clearly explained the need for, and why he was entitled to, the internal email. Co-op's response wasn't helpful, I think it could have done more to support Mr B, such as forwarding the email or sending a hard copy through the post.

I also think Co-op was unhelpful when it told Mr B he wouldn't get a copy of the internal email via a dSAR. Mr B pointed out it would be the data team making this decision, and he was later sent it, the easier thing would have been to log the dSAR request and wait.

Mr B's explained to Co-op and this service the reasons he should be considered a vulnerable consumer, and I agree he should be. But I don't think Co-op refused to provide the internal email because Mr B was vulnerable.

I think Co-op made an error, it should have sent the email to Mr B, and it should have sent it whether Mr B was vulnerable or not. I don't think Mr B's vulnerabilities meant Co-op provided him worse service, I think he was provided poor service regardless.

Although the call was clearly frustrating, Mr B received a copy of the email, so Co-op did the right thing eventually.

And Co-op has since sent Mr B, via this service, a statement showing the transactions on his Britannia account and the closing balance.

Mr B says his account can't have gone dormant, Co-op's terms say dormancy happens after 15 years, and Mr B last used his Britannia account in 2016.

And Mr B is correct, his account didn't go dormant. Again, I can understand Mr B's frustrations here, he was told the wrong thing. And then he was sent a dormant reclaim form without any explanation this also covered low balance reclaims.

Mr B has the correct form to reclaim his balance, and Co-op has confirmed Mr B can hand the forms and identification in at a branch rather than posting it in.

Overall, I think things could have gone much more smoothly for Mr B. And I accept Mr B was very worried about the court case and what might happen if he wasn't able to provide his full finances to the court.

I don't think Co-op treated Mr B fairly around his lost account, the call or the dSAR. But I have to look at the impact Co-op's mistakes had on Mr B, not what any potential impact could have been.

I think Mr B was inconvenienced and distressed by the call he made. Co-op could have sent him the internal email, and once Mr B asked about a dSAR it should have just logged it and allowed its data team to decide what was sent out, rather than say what wouldn't be sent.

I also think Co-op's investigation into Mr B's complaint should have found his account sooner and explained how and why it had closed off. And Co-op should have sent Mr B his statement when he first asked for it.

And having considered all the above, I think Co-op's offer of £150 is fair in the specific circumstances of Mr B's complaint.

It doesn't appear Mr B had problems at court around this account, and I also have to consider Mr B had the book for the Britannia account, showing the correct balance and it being unused since 2016, so he had details about the account and the balance.

And Mr B got a copy of the email he asked for, as part of his dSAR, and later received the statement. I think a lot of the potential impact was mitigated, and although I accept this was a stressful time for Mr B, not helped by Co-op, I still think £150 is a fair offer.

My final decision

My final decision is I uphold this complaint and The Co-operative Bank Plc should pay Mr B £150 to compensate for the distress and inconvenience caused.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr B to accept or reject my decision before 15 April 2025.

Chris Russ
Ombudsman